

# ***Memorandum***

**To:** Planning Commission Members  
**From:** The Development Department  
**CC:** Honorable Members of City Council, Clerk of Council, City Departments  
**Date:** February 10, 2012  
**Re:** Staff Report for MTK Auto Detailing – Special Use Permit (Automotive Service)

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**Item #5 – MTK Auto Detailing – Special Use Permit (Automotive Service)**  
**(PID# 201201180005)**

**Application:** Special Use Permit  
**Location:** 3188 Southwest Blvd  
**Applicant:** Virgil McDaniel  
**Zoning:** C-2 (Retail Commercial)  
**Use:** Automotive Service

**Relevant Code Section(s):**

- 1135.09 (b) (12) Special Use Permits

**Project Summary:**

The applicant is requesting a special use permit to conduct automotive services and detailing at 3188 Southwest Boulevard. MTK Auto Detailing will operate from 9am to 6pm, with two (2) employees on the site. MTK is located in the same structure as a drive-thru convenience store; however the uses are not related and are separated within the structure. Access to the site is located off Southwest Boulevard and Farm Bank way.

Submitted materials indicate that a buffer, power washer, carpet extractor, and air compressor will be used on the site and that all work will be done on the interior of the structure. The structure has the capacity to hold three (3) cars for service at a time and materials state that approximately four to five cars can be serviced in a day.

There are a total of eleven (11) parking spaces on the site, two of which would be used for employee parking for the use. Parking for customers picking up and dropping off vehicles for service is located along the east side of the structure. Materials indicate that cars not claimed at the end of the day will be parked inside the structure and no cars will be parked outside overnight. Furthermore, no equipment or other materials will be stored outside the structure at any time.

## **Code Analysis:**

Per Section 1135.09, the Planning Commission is responsible for reviewing Special Use Permit requests and recommending approval, approval with modifications or denial to City Council based on findings of compliance with the standards and requirements of this Code (see *relevant code sections*) and subject to the conditions established by the Planning Commission to ensure compliance with the letter and intent of this Code. The following is the Development Department's evaluation based on code standards and requirements.

1. *The proposed use shall be in harmony with the existing or intended character of the district and nearby affected districts and shall not change the essential character of the districts;*

**Standard is Met:** The proposed automotive service use does not change the intended character of the district. The existing use on the site (drive-thru convenience store) is automotive in nature and the site is bordered by other automotive uses, including the UDF gas station directly adjacent to the southeast and a car wash to the west.

2. *The proposed use shall not adversely affect the use of adjacent property;*

**Standard is Met:** The proposed automotive service use will not affect the use of adjacent property. All detailing work will be conducted inside the structure and vehicles will not be parked outside overnight. Staff feels that the existing parking lot has the capacity to hold employee vehicles as well as vehicles waiting for pick up or service.

3. *The proposed use shall not adversely affect the health, safety, morals, or welfare of persons residing or working in the neighborhood;*

**Standard is Met:** The proposed automotive service will not adversely affect the health, safety, morals, or welfare of persons residing or working in the neighborhood. All work will be conducted within the structure.

4. *The proposed use shall be served adequately by public facilities and services such as, but not limited to, roads, police and fire protection, storm water facilities, water, sanitary sewer, and school;*

**Standard is Met:** The proposed use will be adequately served by public facilities.

5. *The proposed use shall not impose a traffic impact upon the public right-of-way significantly different from that anticipated from permitted uses of the district;*

**Standard is Met:** The proposed use will not impose a traffic impact significantly different from other uses in the district.

6. *The proposed use shall be in accord with the general and specific objectives, and the purpose and intent of this Zoning Code and the Land Use Plan and any other plans and ordinances of the City;*

**Standard is Met:** The use is in accordance with the intent of all applicable code requirements and ordinances of the City.

7. *The proposed use complies with the applicable specific provisions and standards of this Code;*

**Standard is Met:** The use is in accordance with the intent of all applicable code requirements.

8. *The proposed use shall be found to meet the definition and intent of a use specifically listed as a special use in the district in which it is proposed to be located;*

**Standard is Met:** The site of the proposed use is zoned C-2, in which automotive service is permitted with a special use permit.

9. *A completed application indicating the Specific Special Use permit activity intended by the applicant shall be submitted to the Department of Development by the Council approved submittal dates;*

**Standard is Met:** The applicant properly submitted a completed application.

10. *Parking of employee vehicles, vehicles used in the operation of the business, vehicles awaiting service or return to customers after services, and vehicles held for disposal shall only be permitted in the locations approved on the site plan.*

**Standard is Met:** The applicant has submitted a site plan indicating that a portion of the front parking area will be used for employee vehicles and vehicles awaiting service or return to customers after service will be parked in the parking area on the east side of the structure.

11. *Vehicle sales, rental, or leasing shall not be permitted on the site unless specifically approved.*

**Standard is Met:** No vehicle sales will be conducted on the site.

12. *Outdoor repair, preparation, cleaning, assembly, disassembly, of vehicles shall not be permitted unless the nature and location of such activity is specifically identified in the application and approved by the Board. Outdoor display, storage, or sale of goods shall not be permitted on the site unless specifically approved as a condition of the Special Use Permit and in conformance with the supplementary standards for outdoor display, storage, and sale. The storage area shall be completely surrounded by a gated masonry wall six (6) feet in height or other screening approved by the Planning Commission. Such screening shall be set back from residential districts at least six (6) feet and landscaped according to the approved site plan.*

**Standard is Met:** No work will be conducted and no equipment or materials will be stored outside of the structure.

### **Recommendation(s):**

After review and consideration, the Development Department recommends Planning Commission make a recommendation of approval to City Council for the Special Use Permit with the following stipulation:

1. There shall be no overnight parking or storage of vehicles on the site.